

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TRACY B. DAVIS, SR.,

Defendant.

CASE NO. **3:19-cr-32**

WALTER H. RICE

INDICTMENT

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(c)(1)(A)

21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

THE GRAND JURY CHARGES:

COUNT 1

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about January 18, 2019, in the Southern District of Ohio, the defendant, **TRACY B. DAVIS, SR.**, knowingly possessed a firearm in and affecting interstate and foreign commerce.

Such possession occurred after defendant **TRACY B. DAVIS, SR.** had been convicted of the following felonies punishable by a term of imprisonment exceeding one year, namely:

- a. On or about August 26, 2013, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2012CR03768, of possession of heroin, in violation of Ohio Revised Code,
- b. On or about March 26, 2009, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2007CR04865, of intimidation of a crime witness, in violation of Ohio Revised Code.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 2
[18 U.S.C. § 924(c)(1)(A)]

On or about January 18, 2019, in the Southern District of Ohio defendant **TRACY B. DAVIS, SR.** knowingly possessed a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, knowingly and intentionally possessing with intent to distribute a controlled substance, in violation of 21 U.S.C. § 841(a)(1).

In violation of Title 18 United States Code, Section 924(c)(1)(A).

COUNT 3
[21 U.S.C. § 841(a)(1) and (b)(1)(C)]

On or about January 18, 2019, in the Southern District of Ohio, defendant **TRACY B. DAVIS, SR.** knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance and a mixture or substance containing fentanyl, also known as N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, a schedule II controlled substance.

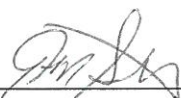
In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

A TRUE BILL



FOREPERSON

BENJAMIN C. GLASSMAN
UNITED STATES ATTORNEY



AMY M. SMITH, (0081712)
Assistant United States Attorney